IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.99 OF 2007
IN
WRIT PETITION NO.532 OF 1993

Shri Narayanlal s/o Krishnajijoshi
& Ors. .. Appellants

Vs.

Smt.Chanchal Upnishad Baxi
& anr. .. Respondents

Ms.Leena Patil i/b Mr.P.M.Pradhan for the petitioners

Mr.Piyush Shah for the respondents

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 23RD APRIL, 2007

P.C.:

1. Heard.

2. The learned counsel for the appellants submits that the learned single Judge ought not to have interfered in this writ jurisdiction on the concurrent finding of facts arrived at by the trial

court and the appellate court.

3. The learned single Judge on going through the evidence on record has correctly come to the finding that as the appellants have failed to prove the relationship of the petitioners and the tenants, the suit ought to have been dismissed on that count alone.

4. We, therefore, do not find that the view taken by the learned single Judge suffers from any error or illegality and therefore, the Letters Patent Appeal is dismissed.

(SHRI J.N. PATEL, J)

(SHRI A.A. SAYED, J)